

ERNEST T. SQUIRES
TERESITA C. SQUIRES

IBLA 77-92

Decided June 1, 1977

Appeal from decision of New Mexico State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer NM 28999.

Affirmed.

1. Oil and Gas Leases: Applications: Drawings

A simultaneous oil and gas lease offer is not fully executed and is properly rejected when the offeror fails to provide the full designation of the parcel by both number and letter prefix.

APPEARANCES: Ernest T. Squires, pro se.

OPINION BY ADMINISTRATIVE JUDGE THOMPSON

This is an appeal from the November 24, 1976, decision of the New Mexico State Office, Bureau of Land Management (BLM), rejecting oil and gas lease offer NM 28999 because appellants' drawing entry card had not been fully executed in that the State prefix for the parcel number had been omitted.

In its decision, the State Office referred to the warning set forth in the September 20, 1976, notice of lands available for leasing which included the subject parcel:

Filings must be made on simultaneous oil and gas drawing entry card, Bureau Form 3112-1 (May 1974 or later). Under the new parcel numbering system, all drawing entry cards must show the State Code as prefix and part of the parcel numbering system. If the old entry cards are used (May 1974 or later), the State Prefix must be manually inserted and made a part of the number for each parcel. Failure to comply with the new numbering system will result in rejection of offer and the filing fee will be retained.

Appellants had used an old card and failed to insert the prefix; their argument that the parcel number itself is sufficient is of no avail.

[1] The Mineral Leasing Act authorizes this Department to issue a noncompetitive oil and gas lease only to the first qualified applicant. 30 U.S.C. § 226(c) (1970); 43 CFR 3112.2-1. An applicant may not be considered qualified unless his drawing entry card is signed and fully executed. 43 CFR 3112.2-1(a). Because a card is not fully executed unless it bears the prefix for the parcel number, as required by BLM, an offer is properly rejected if the prefix is omitted. Etta D. Harris, 29 IBLA 259 (1977); E. Fenton Carey, 29 IBLA 196 (1977).

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Joan B. Thompson
Administrative Judge

We concur:

Newton Frishberg
Chief Administrative Judge

Edward W. Stuebing
Administrative Judge

